

EXHIBIT B

Goins, Jacob

From: Linzer, Alexander
Sent: Tuesday, January 16, 2018 10:16 AM
To: Andrews, Joel
Cc: Goins, Jacob
Subject: FW: Evaluations on a Fair Chance
Attachments: SLD Geneva Aiken G2.pdf

Joel,

FYI -- Attached is SIR's evaluation of Ms. Aiken's complaint of "retaliation" in August 2017.

Alex

Alexander Linzer
Director, EEO Investigations



130 Livingston Street, 3rd Floor | Brooklyn, NY 11201
Alexander.Linzer@nyct.com
718.694.5451 | 718.694.4520 (fax)

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From: Stewart, Hazel
Sent: Wednesday, August 02, 2017 10:43 AM
To: Neadel, Mark S. <Mark.Neadel@nyct.com>; Gregory, Lauri <Lauri.Gregory@nyct.com>
Cc: Linzer, Alexander <Alexander.Linzer@nyct.com>
Subject: RE: Evaluations on a Fair Chance

GS, Bronx West Division, John Dhuman forwarded an email to SIR on July 28th which was sent to him on July 12th from an Probationary SLD Geneva Aiken who feels she will not get a fair chance at her promotion to dispatcher under the circumstances that occurred on February 23, 2017, wherein she submitted a G-2 statement regarding an issue with "training" to Donald Houston, former GS Transportation. SLD Aikens indicates that "since the G2 statement, *"I believe I am a victim of retaliation. The retaliation starts with Phakeshis Murphy,"* GS Support Services.

Probationary SLD Aiken's G2 written on February 23, 2017 to GS Houston, subject line was, "regarding training on February 18th," to which Aiken's articulated the following:

- Her work assignment for 2/18/2017 and SLD Extra list assignments were not posted in an email however Aiken's confirms a Saturday report time on Feb. 17th.
- The next paragraphs articulates some confusion over whom SLD Aiken's is to work with on a day which is not specified in the G2. When a Mr. Haruna (illegible) arrived, he confirmed that SLD Aiken

will work with the crew. SLD Aiken statement reflects, *"At this point it had behooved me that nobody wanted to work with me, and felt like her work ethics have been belittled."* (Note: In this G2 SLD Aikens refers to herself in the third and singular person)

- SLD Aikens is helping out at the window and SLD Alex approached her and told Aiken in a loud voice, *"you don't know what you're doing."* SLD Aiken *"felt her intelligence was insulted."* (portions of the G2 are not legible) SLD Alex told SLD Aiken's he did not mean to *"insult her, I'm sorry."* SLD Aiken's resolved this issue with Mr. Haruna. All three spoke about the situation and it was resolved with SLD Alex apologizing again.

SLD Aikens email to GS Dhuman on July 12th alleged the following:

- SLD Aiken's observed GS Murphy read her G2 in front of Mr. Houston. A week later she was called in to GS Murphy's office to discuss Deviation sheet discrepancies which SLD Aiken's had held onto until she received clarification on them. Mr. Houston allegedly said to GS Houston, *"Yes. Send her back to her tools"* and GS Murphy asked if SLD Aiken wanted to go back to Zerega for training.
- On July 2, 2017, during SLD Aiken's second evaluation, GS Murphy wrote a letter to Aiken's file and Aiken's does not know of the situation or *"possibly a corrective action track for me"* It is at this point SLD Aiken's asserts that she believes she will not get a fair chance of promotion to dispatcher at the end of her probation.
- SLD Aikens inserts into her G2 that on Feb 11, 12 and 19, 2017 Aikens emailed Murphy, AGS Reyes, Transportation to keep abreast of training matters.
- On July 10, 2017 SLD Aikins spoke with GS Murphy about going to work on her own time to get more experience and did so on July 11th to look at some duties she would be responsible for on her new pick. SLD Aikens mentioned to GS Murphy *"about the 2017 Mandated Training/Certification"* and Murphy told Aiken's, *don't do the training because you're off today...do that when you come back to work."* SLD Aikens agreed. At that point GS Murphy asked SLD Aikens if she was done and Aikens could leave now and Aikens felt she was being excused when she was told to come in and work on her own time to familiarize herself with the new pick effective July 9th.
- Unknown date, SLD Aiken was asked a question by AGS Road Control Delphine Paige who asked, *"How many years you drove bus?"* to which Aikens responded five years and Paige told her she drove for seven and maybe you (Aikens) need to go back to driving the bus to learn the road some more. SLD Aiken's reiterated in her G2 that *"I believe I'm not going to get a fair chance at my promotion to dispatcher."*

After reviewing the above provided by SLD Aikens via her July 28th email, Aikens has not provided information to support a claim of retaliation that allegedly occurred after she wrote a G2 on February 23rd.

Hazel

From: Linzer, Alexander
Sent: Tuesday, August 01, 2017 5:36 PM
To: Dhuman, John P
Cc: Stewart, Hazel; Seda, Antonio; Andrews, Joel; Neadel, Mark S.
Subject: RE: Evaluations on a Fair Chance

Good afternoon,

Thank you for referring this matter to us. As per our conversation earlier today, EEO & Diversity will not investigate this matter because SLD Aiken does not raise concerns that may implicate NYCT's EEO policies. SIR is also reviewing this matter and will be contacting you concerning it.

Please keep us apprised of any action taken in connection with this matter for our records and do not hesitate to contact us with any questions or concerns.

Best Regards,

Alexander Linzer
Director, EEO Investigations
Department of Equal Employment Opportunity and Diversity
130 Livingston Street, 3rd Floor | Brooklyn, NY 11201
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718.694.5451 | 718.694.4520 (fax)



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From: Dhuman, John P
Sent: Tuesday, August 01, 2017 1:21 PM
To: Linzer, Alexander <Alexander.Linzer@nyct.com>
Cc: Stewart, Hazel <Hazel.Stewart@nyct.com>
Subject: RE: Evaluations on a Fair Chance

See SLD Aiken G2 Attached.

Talking to SLD Aiken to retrieve G2. Didn't recall the conversation she had with me along with Mr. Irick; so I asked her; She confirmed that it wasn't me, it was the Bronx General Manager, Mr. Robert Bruno she had the conversation with. She thought Mr. Bruno was introduced as the Deputy General Manager; which I am the Deputy GM. I spoke to GM Bruno, he confirmed that it was Him that had the conversation with SLD Aiken along with Mr. Irick. Regardless, I think we need to investigate her concerns/complaints.

Any questions, do not hesitate to call or e-mail.

Mr. Linzer, I left you a voice mail.

Regards,

JD

From: Linzer, Alexander
Sent: Tuesday, August 01, 2017 11:54 AM
To: Dhuman, John P <John.Dhuman@nyct.com>
Cc: Stewart, Hazel <Hazel.Stewart@nyct.com>
Subject: RE: Evaluations on a Fair Chance

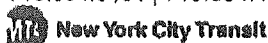
Good morning,

After consulting with ACO Hazel Stewart at SIR, we would like for you to obtain a copy of the G-2 and forward it to us. We will then follow up with you.

Please do not hesitate to call me with any questions or concerns.

Best Regards,

Alexander Linzer
Director, EEO Investigations
Department of Equal Employment Opportunity and Diversity
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From: Dhuman, John P
Sent: Monday, July 31, 2017 11:17 AM
To: Linzer, Alexander <Alexander.Linzer@nyct.com>
Subject: RE: Evaluations on a Fair Chance

Alex, Good Morning...

As per our conversation on Friday, Please let me know if you need me to get the G2 in question and forward to you.

Thanks,

JD

From: Dhuman, John P
Sent: Friday, July 28, 2017 1:59 PM
To: Linzer, Alexander <Alexander.Linzer@nyct.com>
Subject: RE: Evaluations on a Fair Chance

Good Afternoon, I just left you a voice mail...

I don't have on me; it wasn't forwarded to me; the only way of me getting it is asking the Dispatcher or the GSSS.

Please let me know how you want me to handle.

Thanks,

JD

From: Linzer, Alexander
Sent: Friday, July 28, 2017 1:37 PM
To: Dhuman, John P <John.Dhuman@nyct.com>

Cc: Seda, Antonio <Antonio.Seda@nyct.com>; Andrews, Joel <joel.andrews@nyct.com>; Carlos, Paul <Paul.Carlos@nyct.com>

Subject: RE: Evaluations on a Fair Chance

Good afternoon,

Yes, if you can find the G-2, please forward a copy to us. Please call me if you have any questions or concerns.

Best Regards,

Alexander Linzer
Director, EEO Investigations
Department of Equal Employment Opportunity and Diversity
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New York City Transit

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From: Dhuman, John P

Sent: Friday, July 28, 2017 11:37 AM

To: Linzer, Alexander <Alexander.Linzer@nyct.com>

Cc: Seda, Antonio <Antonio.Seda@nyct.com>; Andrews, Joel <joel.andrews@nyct.com>; Carlos, Paul <Paul.Carlos@nyct.com>

Subject: RE: Evaluations on a Fair Chance

The G-2 was not attached, although the email said "G-2" attached.
Let me know if you want me to get it.

Thanks,

JD

From: Linzer, Alexander

Sent: Friday, July 28, 2017 11:26 AM

To: Dhuman, John P <John.Dhuman@nyct.com>

Cc: Seda, Antonio <Antonio.Seda@nyct.com>; Andrews, Joel <joel.andrews@nyct.com>; Carlos, Paul <Paul.Carlos@nyct.com>

Subject: FW: Evaluations on a Fair Chance

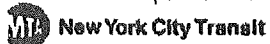
Good morning,

I write to follow up on your e-mail concerning Ms. Aiken. If you have it, please forward us a copy of the February G-2 statement referred to by Ms. Aiken in her e-mail.

Please do not hesitate to contact me with any questions or concerns.

Best Regards,

Alexander Linzer
Director, EEO Investigations
Department of Equal Employment Opportunity and Diversity
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From: Dhuman, John P
Sent: Friday, July 28, 2017 9:46 AM
To: Roach, Ysanne; Andrews, Joel; Carlos, Paul
Subject: FW: Evaluations on a Fair Chance

This e-mail was sent to me on July 12th 2017 @ 2:38PM, but for some reason I missed it; going back to organize my e-mails, I seen it needing some guidance. See below.
Please let me know how I should proceed.

Regards,

Dhuman
Bronx Division
347-672-7538

From: Aiken, Geneva
Sent: Wednesday, July 12, 2017 2:38 PM
To: Dhuman, John P <John.Dhuman@nyct.com>
Subject: Evaluations on a Fair Chance

Goodday John Dhuman, Deputy General Manager. I met you once at your West Farm Depot facility door entrance near elevator when you was speaking with Darryl C. Irick, NYCT Acting President. Mr. Irick asked me did I knew who you are at that instance. Yes now I know who you are.

First I want thank you for being a part of your team here at West Farm Depot as a new dispatcher. I'll get straight to the point. I believe that I'm not going to get a fair chance at my promotion to dispatcher under the circumstances that on February 23, 2017, I submitted a G-2 statment regarding an issue with training (see G-2 statement) to Donald Houston, former GS Transportation. Since this G-2 statement, I believe I'm a victim of retaliation. The retaliation starts with Phakeshia Murphy, GS suport Services.

I observed Ms. Murphy read my G-2 statement in front of Mr. Houston. A week later Ms. Murphy and Mr. Houston called me in to Ms Murphy's office to dicussed Deviation sheet discrepancies I held until I got clarification on them. I observed both Ms. Murphy and Mr. Houston looked at each other as Mr. Houston stated, " Yes send her back to her tools" which was not the first time I heard him stated that to me. Ms. Murphy even asked me would I like to go back to Zerega for training. I stated, "No" because I didn't know what that meant.

On July 6, 2017, during my second evaluation Ms. Murphy had wrote me up with a letter in my file without my kbowing of the situation and possibly a corrective action track for me. At this point I believe I will not get a fair chance as promotion to dispatcher at the end of my probation something that Im giving all my might and able body can produce thus far. I currently have perfect attendace which Im searching and not pointing fingers as to

what is really going on.

On February 11, 12, and 19, 2017, I emailed Ms. Murphy as well as Mr. Reyes, AGS Transportation to keep abreast on training matters. I loved the challenges I faced in the Crew (All shifts), the Yard(All shifts), the General (All shifts), Bus Trek(All shifts), Bronx road post and time points(All shifts) and Bronx road control(All shifts) all of which my work ethics allowed me. In other words, I wanted to be aware of corrective actions if need be to progress and move forward.

On July 10, 2017 Ms. Murphy spoke with me briefly about going in on my own time to get more experience in the crew, yard, and general. I went in in July 11, 2017, my RDO to look at some of the duties I will be responsible for on my new pick. I mentioned to Ms. Murphy the 2017 Mandated Training/Certification. She stated, "Dont do the training because you're off today." "Do that when you come to work". I agreed. She also stated, "Are you done, you can leave now." I felt as though I was being excused out of the same emwork area in which I was told to come in on my own time to familiarize myself with the new pick effective July 9, 2017.

Next, I was asked a question by Delphine Paige, AGS Road Control as she stated, " How many years you drove the bus". I stated, "five years". She said, " Well I drove for seven years and maybe you need to go back to driving the bus the learn the road some more". I this time I believe Im not going to get a fair chance at my promotion to dispatcher.

If you can look in to this matter as to what is really going in because due to my perfect attendance (any shift is good for me) Im trying to see where the problem lies. If it's me then I want to own up to it and not pointing the finger at no one else.

Thank you in advance for your surmountable leadership for all MTA employees.